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OFFICE OF PETITIONS.

In re Application of :
Tschiegg et al. :
Application No. 10/085,497 : DECISION ON PETITION
Filed: February 26, 2002 :
Attorney Docket No. 398624 :
Title of Invention: Risk Management :
Information Interface System and Associated :
Methods :

This is in response to the petition for waiver under 37 CFR 1.183 of requirement for supplemental Declaration under 37 CFR 1.67 filed September 15, 2006.¹

The petition is Granted.

The above-identified application was filed on February 26, 2002. A fully executed declaration was submitted on January 5, 2004.

Once an application has received a fully executed oath or declaration and been placed on the files for examination, the provisions of 37 CFR 1.47 no longer apply. Rather the remedy for treating an inventor's refusal to sign a supplemental declaration is waiver of 37 CFR 1.67. See MPEP 603. Nevertheless, it is appropriate to apply the principles of 37 CFR 1.47 therefrom to the situation at hand. All available joint inventor(s) must sign the supplemental declaration on behalf of themselves, if appropriate and on behalf of the non-signing inventor. See MPEP 409.03(a).

In order for a petition under 37 CFR 1.183 to be granted to waive this requirement that joint inventor Sutherland sign the supplemental declaration, petitioner must demonstrate that this is an extraordinary situation where justice requires waiver of the rules.

On petition, applicants have set forth the steps taken to obtain inventor Sutherland

¹ 37 CFR 1.47 only applies when an inventor refuses to sign the original 37 CFR 1.63 oath or declaration.

signature on the supplemental declaration. Applicants have shown that a bona fide attempt was made to present the application papers. The non-signing inventor's conduct constitutes refusal to execute the supplemental declaration.

The declaration presented is signed by four inventors on behalf of Basset. Under the circumstances, it is concluded that petitioner has demonstrated that this is an extraordinary situation requiring waiver of the rules.

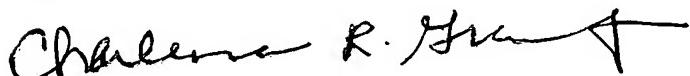
The \$400.00 petition fee will be charged to deposit account no. 12-0769.

There is no indication that the person signing the present petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. If the person signing the present petition desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted.

This application does not have any Rule 1.47(a) status and no such status should appear on the file wrapper.

This application is being forwarded to Technology Center 2168 for further processing. Office of Patent Publication for issuance into a patent.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3215.



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